

BEFORE THE FISH, WILDLIFE AND PARKS COMMISSION
OF THE STATE OF MONTANA

In the matter of the repeal of a)	
temporary emergency rule closing the)	
Clark Fork River from the Tarkio)	NOTICE OF REPEAL OF A
Fishing Access Site to Forest Grove)	TEMPORARY EMERGENCY RULE
Fishing Access Site, Mineral County,)	
MT)	

TO: All Concerned Persons

1. On September 4, 2007, the Fish, Wildlife and Parks Commission (commission) adopted a temporary emergency rule closing the Clark Fork River from the Tarkio Fishing Access Site to Forest Grove Fishing Access Site in Mineral County, published in the 2007 Montana Administrative Register, Issue No. 18. There was an immediate need for a source of water for aircraft dropping water on area wildfires. This situation constituted an imminent peril to the public health, safety, and welfare of anyone using the river. Within the rule, the commission delegated its authority to the Department of Fish, Wildlife and Parks to determine, in consultation with the commissioner in the region, when the river was again safe for public use.

2. Since firefighting aircraft have stopped loading water in the Clark Fork River, MAR Notice No. 12-338 is no longer necessary. As this situation no longer constitutes an imminent peril to public health, safety, and welfare, the commission is repealing the rule. The repealing of the rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be removed at access points. The repeal notice will be sent to interested parties, and published in Issue No. 18 of the 2007 Montana Administrative Register.

3. The repealing of the temporary emergency rule is effective September 5, 2007.

4. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

/s/ M. Jeff Hagener
M. Jeff Hagener,
Secretary
Fish, Wildlife and Parks Commission

/s/ Robert N. Lane
Robert N. Lane
Rule Reviewer

Certified to the Secretary of State September 5, 2007.